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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/509,872

09/11/2000

Ian H. Duncan

98784-US

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04/27/2005

MARKS & CLERK

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CANADA

EXAMINER

NGUYEN, STEVEN H D

ART UNIT

PAPER NUMBER

2665

DATE MAILED: 04/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/509,872

Applicant(s)

DUNCAN ET AL.

Examiner

Steven HD Nguyen

Art Unit

2665

OK

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 and 11-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 11-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
3. Claims 1-8 and 11-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yuasa (USP 6085238) in view of Dobbins (USP 5825772).

Yuasa discloses a method and system for forwarding packets, the system comprising incoming and output service interfaces providing service to multiple distinct and isolated user networks (Fig 14 has the networks H1 and H2 or Fig 18-19, 21-22, 25, 28-30, 32, 37, 41, 45, 58, 62) which discloses a plurality of distinct and isolated user network) providing comprising multiple protocols "MPOA, see col. 3, lines 15-25)" for providing service for packet and frame levels, MPOA management function (Fig 33, Ref 247a, See col. 46, lines 46-67), ATM switch (Fig 33, Ref 203a, See col. 46, lines 46-67) and managed by a single provider (Fig 33, Ref

Art Unit: 2665

Network Management agent) and the service interface related to physical and logical connections includes multiple traffic flows from ingress port (Fig 1, 31, 33, traffic flows such voice and data via ports 41, 2301 of the switch by using physical and logical connection; See col. 1, lines 29-33 and col. 2, lines 10-17); service interfaces supports realms each relating to a specific instance of internetworking service function being public internet access service (Fig 18, Ref 202, encapsulating, Ref 209, encryption for transmitting packet via internet). However, Yuasa fails to disclose the system with multiple forwarding rules based on the routing topology and policing information relevant to each of said distinct and isolated user network; receiving the packets at one of incoming service interfaces; selecting an appropriate forwarding rule based on a source address in the packets and forwarding the packets to one of the output service interfaces based on a destination address in the packet and information in the said forwarding rules; the specific instance is VPN service being a bridged and/or routed and network layer connectivity service.

However, in the same field of endeavor, Dobbins discloses the system with multiple forwarding rules based on the routing topology and policing information relevant to each of said distinct and isolated user network (Fig 7 discloses a plurality of forwarding rules based on routing topology and policy of the distinct and isolated network "VLAN or virtual private network", See col. 13, lines 48-59 and col. 17, lines 22-43); receiving the packets at one of incoming service interfaces (fig 7a, Ref 100, for receiving a data packet from an interface); selecting an appropriate forwarding rule based on a source address in the packets and forwarding the packets to one of the output service interfaces based on a destination address in the packet and information in the said forwarding rules (selecting a rule in order to forward a data packet, based on the source address, to an output interface, col. 17, lines 22-43 ); the specific instance is public internet access service

Art Unit: 2665

(Fig 2,Ref 10); the specific instance is VPN service being a bridged and/or routed and network layer connectivity service (col. 7, lines 48-58).

Since, Dobbins suggests a method and system for forwarding the packets between the source and destination station in virtual private group or non virtual private group in the internet using the security function between the distinct and isolated user networks and Yuasa discloses a system for forwarding the packets between the source and destination station in virtual private group in the ATM network by using MPOA for passing internet packet over ATM network for enhancing a security wherein the client address used to determine if the client is authorized to use the resource. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to apply a method and system for selecting a forwarding rule based on the source address for forwarding the data packet as disclosed by Dobbins's system into Yuasa's system in order to provide a secure intra communication between the networks.

### ***Conclusion***

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

Art Unit: 2665

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steven HD Nguyen whose telephone number is (571) 272-3159. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy D Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to be 'Steven HD Nguyen', written over a horizontal line.

Steven HD Nguyen  
Primary Examiner  
Art Unit 2665  
4/25/05